

REMARKS

Applicant requests cancellation of claims 28-46 without prejudice.

Independent claims 1, 14, 15, and 17 have been amended to more clearly describe and distinguish the present invention. That is, the claims, as amended, refer to selecting a time or time period. Support for this amendment is in the last sentence of page 2 in the specification.

No new matter has been added.

I. Rejections Under 35 U.S.C. §103(a)

Claims 1-27 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Prager in view of Braden-Harder et al. Applicant respectfully traverses this rejection and requests reconsideration of the claims as amended.

A. Independent Claims 1, 14, 15, and 17

Claims 1, 14, 15, and 17 are directed at the archiving and retrieval of digital media items based on the episodic memory of one or more groups of people. A user or archiver, for example using a terminal, inputs information identifying a group to which the user belongs. They are thus identifying the group which has a number of memory episodes. The user then enters a user archiving input. The archiving input identifies a digital media item to be archived for the group, and the user selects zero or more group event types from a list of group event types for the group, zero or more persons in the group, and a time or time period. Thus the archiving input relates to a group event, persons in a group and time period of relevance to the group. This archiving input is then formed into index information which is stored in association with the digital media item. This process can be repeated for a number of digital media items to generate an archive of digital media items for the group of people so that the digital media items associated with group

episodes can be retrieved. Retrieval can be carried out by a user (any member of the group) using the terminal whereby the retriever selects zero or more group event types from a list of group event types for the group, zero or more persons in the group, and time or time period. Digital media items that match the selection can then be retrieved.

With regard to the prior art cited by the examiner, none of the prior art documents are concerned with the concept of the use of episodic memory. Prager discloses a system and method for categorizing objects. The objects (documents) are categorized in pre-existing categories. Pre-categorized training documents are used to generate feature vectors. Documents are categorized by comparing feature vectors for the document with the training documents. Prager does not teach a method based on episodic memory of predefined distinct groups of one or more people. More specifically, there is no disclosure in Prager of the user identifying a group to which the user belongs. Also Prager does not archive the digital media item specifically for the group and there is selection of group event types or the selection of people in the group in order to archive the digital media item. The examiner refers to column 11 lines 53 to 54. This is not a reference to the input of a group identity for a user which is used to determine group event types or members of the group. The passage in column 11, data is to be sent to them which matches the information about them *i.e.* which is relevant to them. This passage refers to nothing more than the automatic retrieval of information which matches a predefined query. This is the disclosure of the input of the identity of a group to which the user belongs *i.e.* a group having common memory episode experiences *e.g.* they went to the same school, met at a golf tournament, or attended the same business conference. The examiner compares “news” with “group event types” in the claims. News is not however in any way similar to a group event type. News is the information and not a common event experienced by the group of people.

It is thus submitted that the claims are inventively distinguished over Prager.

With regard to Braden-Harder et al. (US 5,630,121) this documents discloses an archiving and retrieving system in which an index is used to archive and retrieve data. The index is structured according to grammar rules. In particular, a phrase can be used as the index Braden-Harder does not disclose the archiving and retrieval of digital media items based on episodic memory of predefined distinct groups of one or more people. Braden-Harder does not contemplate that users should be grouped in accordance with their episodic experiences. There is no disclosure of receiving a user input identifying group to which the user belongs. There is also no selection of a group event type for the group or the selection of a person in the group in order to generate an archiving input. It is thus submitted that the claimed invention is neither disclosed nor contemplated in Braden-Harder.

As the cited prior art does not contain each and every element of the independent claims, either separately or in combination, there is no proper basis for a 35 U.S.C. §103(a) rejection. The applicant therefore requests the examiner reconsider the rejection and allow claims 1, 14, 15, and 17 as amended.

B. Dependent Claims 2-13, 16, and 18-27

The dependent claims 2-13, 16, and 18-27 contain each element of independent claims 1, 15, and 17, respectively. As the independent claims, as amended, are allowable, the dependent claims should also be allowed.

CONCLUSION

Request for Allowance

It is believed that this Amendment places the application in condition for allowance, and prompt action on this Amendment is earnestly solicited.

If, in the opinion of the examiner, an interview would expedite the prosecution of this application, the examiner is invited to call the undersigned attorney at the telephone number listed below.

The Office is hereby authorized to charge any fees, or credit any overpayments, to Deposit Account No. **11-0600**.

Respectfully submitted,

KENYON & KENYON

Dated: March 4, 2003

By: _____

J. Feeney
James F. Feeney
(Reg. No. 45,538)

KENYON & KENYON
333 West San Carlos St., Suite 600
San Jose, CA 95110

Telephone: (408) 975-7500
Facsimile: (408) 975-7501